

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>THOMAS V. DURAN,</b>	:	<b>CIVIL ACTION NO. 4:14-CV-2047</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>COUNTY OF CLINTON, JEFFREY</b>	:	
<b>SNYDER, ROBERT SMELTZ, and</b>	:	
<b>JOEL LONG,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 25th day of September, 2015, upon consideration of defendants' motion (Doc. 5) to dismiss, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Defendants' motion (Doc. 5) to dismiss is GRANTED in part as follows:
  - a. Plaintiff's procedural due process claims against defendants Snyder, Smeltz, and Long in their official capacities are DISMISSED with prejudice.
  - b. Plaintiff's procedural due process claims against defendants County of Clinton and Snyder, Smeltz, and Long in their individual capacities are DISMISSED without prejudice.
  - c. Plaintiff's wrongful termination claim is DISMISSED without prejudice.
  - d. Plaintiff's breach of contract claim is DISMISSED without prejudice.
2. Defendants' motion (Doc. 5) is DENIED with respect to plaintiff's FMLA and tortious interference with contract claims.

3. Plaintiff is granted leave to amend his pleading within twenty (20) days of the date of this order, consistent with paragraph 1 above. In the absence of a timely filed amended complaint, the case will proceed only on the FMLA and tortious interference with contract claims.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania